

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,)
10) CASE NO. CR09-112-RSL
11 Plaintiff,)
12 v.)
13))
14 JEFFREY JANES,)
15)
16 Defendant.)
17)

18 An initial hearing on supervised release revocation in this case was scheduled before me
19 on December 26, 2012. The United States was represented by AUSA Bruce Miyaki and the
20 defendant by Nancy Tenney. The proceedings were digitally recorded.

21 Defendant had been sentenced on or about October 2, 2009 by the Honorable Robert S.
22 Lasnik on a charge of Felon in Possession of a Firearm (two counts), Possession of a Machine
23 Gun, and Making Counterfeit United States Currency, and sentenced to 36 months custody, 3
24 years supervised release.

25 The conditions of supervised release included the standard conditions plus the
26 requirements that defendant participate in drug testing and treatment, submit to search, be

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE

01 prohibited from consuming alcohol, participate in a mental health program, provide access to
02 financial information as requested, and not be self-employed or work for cash without approval.
03 (Dkt. 25.)

04 On March 16, 2012, defendant's probation officer reported defendant tested positive for
05 opiates. Defendant was reprimanded and placed in a structured and increased testing program.
06 No further action was taken at the time. (Dkt. 34.) On July 24, 2012, defendant tested positive
07 for heroin and amphetamines. He was referred for professional assessment and an intensive
08 outpatient program. No further action was taken at the time. (Dkt. 35.)

09 In an application dated December 21, 2012 (Dkt. 36, 37), U.S. Probation Officer
10 Angela M. McGlynn alleged the following violations of the conditions of supervised release:

11 1. Using amphetamines on or before 12/7/2012 and 12/21/2012, in violation of
12 standard condition No. 7.

13 2. Failing to participate in substance abuse treatment as directed on or before
14 12/21/12, in violation of the special condition that requires the defendant to participate in
15 substance abuse treatment as directed.

16 3. Failing to report for urinalysis testing as directed on or about 12/18/12, in
17 violation of the special condition that requires the defendant to report for urinalysis testing as
18 directed.

19 Defendant was advised in full as to those charges and as to his constitutional rights.

20 Defendant admitted the three violations and waived any evidentiary hearing as to
21 whether they occurred.

22 I therefore recommend the Court find defendant violated his supervised release as

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE

PAGE -2

01 alleged in violations, and that the Court conduct a hearing limited to the issue of disposition.

02 The next hearing will be set before Judge Lasnik.

03 Pending a final determination by the Court, defendant has been detained.

04 DATED this 26th day of December, 2012.

05
06 

07 Mary Alice Theiler
United States Magistrate Judge

08
09
10 cc: District Judge: Honorable Robert S. Lasnik
AUSA: Bruce Miyaki
11 Defendant's attorney: Nancy Tenney
Probation officer: Angela M. McGlynn
12
13
14
15
16
17
18
19
20
21
22

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE

PAGE -3